

The Honorable J. Kelley Arnold

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT P. CASTO and MOLLY L. CASTO,
Individually, and the marital community
comprised thereof,

Plaintiffs,

v.

SEARS ROEBUCK AND COMPANY,

Defendant.

Case No. C06-5152JKA

**ORDER GRANTING DEFENDANT'S
MOTION TO COMPEL RESPONSE
TO ITS FIRST INTERROGATORIES
AND REQUESTS FOR
PRODUCTION TO PLAINTIFF**

**NOTE ON MOTION CALENDAR:
JANUARY 5, 2007**

Defendant Sears Roebuck and Company's Motion to Compel Response to Its First Interrogatories and Requests for Production to Plaintiff having come on regularly before the Court on January 5, 2007, and the Court having examined the pleadings and having heard argument of counsel,

NOW THEREFORE, IT IS HEREBY ORDERED that Defendant's Motion to Compel Response to Its First Interrogatories and Requests for Production to Plaintiff is GRANTED. Plaintiff Robert Casto shall completely and fully respond to Defendant's First Interrogatories and Requests for Production to Plaintiff by **January 31, 2007**. Plaintiff Robert Casto shall also pay Defendant's reasonable costs and attorneys fees for bringing its Motion before the Court. Defendant shall submit a declaration to the Court setting forth its fees and costs for bringing its Motion. Should Plaintiff fail to respond to Defendant's First Interrogatories and Requests for

1 Production to Plaintiff as required by this Order, the Court will consider further sanctions against
2 Plaintiff Robert Casto, including dismissal of his Complaint with prejudice.

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4 DATED this 12th day of January, 2007.

5 /s/ J. Kelley Arnold
6 **THE HONORABLE J. KELLEY ARNOLD**

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8 Presented by:

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10 /s/
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16 Attorneys for Defendant
17 Sears Roebuck and Company
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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2006, I caused the **[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO COMPEL RESPONSE TO ITS FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION TO PLAINTIFF** to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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